

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER RAPER  
COMMISSIONER ANDERSON  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** EDWARD JEWELL  
DEPUTY ATTORNEY GENERAL

**DATE:** AUGUST 13, 2020

**SUBJECT:** IN THE MATTER OF THE FORMAL COMPLAINT OF WOOD HYDRO  
AGAINST IDAHO POWER COMPANY; CASE NO. IPC-E-20-28.

On June 25, 2020, Wood Hydro, LLC (“Wood Hydro”) filed a formal complaint against Idaho Power Company (“Idaho Power” or “Company”) alleging Idaho Power improperly withheld payments due to Wood Hydro under a Firm Energy Sales Agreement entered into in 1993 pursuant to the Commission’s implementation of the Public Utility Regulatory Policies Act of 1978 (“PURPA”).

On July 7, 2020, the Commission approved Staff’s decision memorandum recommending the Commission issue a Summons and give the Company 21 days to answer the complaint and give Wood Hydro 21 days to reply to the Company’s answer.

On July 13, 2020, the Commission issued a Summons to Idaho Power directing the Company to answer within 21-days.

On August 3, 2020, the Company filed an Answer and Cross-Complaint.

Idaho Power brings its cross-complaint against complainant Wood Hydro as well as two other qualifying facilities; Rock Creek #2 and Lowline #2. Commission Rule of Procedure 57.02 states all answers to complaints must be filed with the Commission within 21 days of service of the Complaint unless the Commission modifies the time to answer.

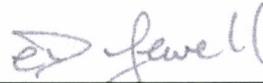
### STAFF RECOMMENDATION

Staff recommends the Commission issue a Summons to Rock Creek #2 and Lowline #2 and direct each QF to file an answer within 21 days of the service date of the Summons. Staff

also recommends the Commission align Wood Hydro's response with the answer deadline for Rock Creek #2 and Lowline #2.

**COMMISSION DECISION**

Does the Commission wish to issue a Summons to Rock Creek #2 and Lowline #2, direct each QF to file an answer within 21 days of the service date of the Summons, and align the time Wood Hydro has to respond to?



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Edward J. Jewell  
Deputy Attorney General

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